

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services – Police Department – Imposition of penalty of withholding of 5% pension for one year on Sri Syed Mustafa, HC 524 (Retd) of 4<sup>th</sup> Bn., APSP, Mamnoor lines, Warangal, under Rule-9 of A.P. Revised pension Rules, 1980 – Orders – Issued.

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HOME (SERVICES-II) DEPARTMENT

G.O.Rt.No.323

Dated: 9 -3 - 2011  
Read the following:-

1. From the DGP., A.P., Hyd. Lr.Rc.No.201/Appeal-4/2010, dated: 08-02-10.
2. Govt. Show Cause Memo.No.5680/Ser-II/A1/2010, dated:29-4-2010.
3. Reply dated:25-10-2010 of Sri Syed Mustafa, HC 524 (Retd) of 4<sup>th</sup> Bn., APSP, Mamnoor lines, Warangal.
4. From the Secretary, APPSC, Hyd., Lr.No.101/RT-I/2/2011,dt.5-2-2011

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ORDER:

In the reference 1<sup>st</sup> read above, the Director General of Police, AP, Hyderabad, has stated that Sri Syed Mustafa, HC 524(Retd.), 4<sup>th</sup> Bn, APSP, Warangal, was handed upon a charge for the following delinquency:-

“for his gross neglect of duty in absenting without leave or permission from legitimate duties w.e.f. 03-02-2008 FN from R.R.T. Training at Battalion Head quarters Mamnoor and thereby deserting the force w.e.f. 03-02-2008 FN”. He reported for duty on 12-03-2008 FN.

2. The DGP, AP, Hyderabad, has further reported that the individual acknowledged the article of charge dated:20-04-2008, on 15-05-2008. The individual failed to submit his written explanation and subsequently, retired from service on 31-05-2008. Thus, the Asst. Commandant, 4<sup>th</sup> Bn., APSP, Warangal, was appointed as E.O. who conducted the departmental enquiry against Sri Syed Mustafa, HC 524 of 4<sup>th</sup> Bn., APSP, and held the charges against the delinquent as ‘Proved’. The C.O. acknowledged the report of enquiry on 04-03-2008 and submitted his final written explanation on 31-07-2009. Since, the charged officer Sri Syed Mustafa, HC 524, 4<sup>th</sup> Bn, APSP, Warangal, had retired from service on 31-05-2008, the types of punishments laid down under Rule-9 (iv) to (ix) of APCS (CC&A) Rules, 1991 are all in-operative on the retired HC. The punishing authority has no other option except to recommend for withholding his pension. As provided in Rule-9 of A.P. Revision Pension Rules, 1980, the Government alone have the powers for withholding or withdrawing pension (or) part there of whether permanently (or) for a specific period.

3. As per Rule-9(2)(a) of AP Revised Pension Rules, 1980, the Government have powers to pass orders in respect of retired employee viz., Sri Syed Mustafa, HC 524, 4<sup>th</sup> Bn, APSP, Warangal, who retired from service on superannuation on 31-05-2008, against their O.E.P.R. Hence, the Director General of Police, AP, Hyderabad has forwarded the O.E. PR to the Government for taking further necessary action.

4. After careful examination of the entire matter, with the records made available Government have provisionally decided to impose penalty of 10% (ten percent) cut in pension for a period of two years against Sri Syed Mustafa, HC 524, 4<sup>th</sup> Bn, APSP, Warangal District, who retired from service on superannuation on 31-05-2008, under Rule 9 of A.P. Revised Pension Rules, 1980, for the charges held proved against them. Accordingly, a show cause notice was issued to the said charged officer in the references 2<sup>nd</sup> read, duly calling the explanation of the said Charged Officer, on the provisional decision. Sri Syed Mustafa, HC 524(Retd.), 4<sup>th</sup> Bn, APSP, Warangal District has submitted his explanation through the DGP, AP, Hyderabad.

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5. After examination of the explanation of Sri Syed Mustafa, HC 524 (Retd.), 4<sup>th</sup> Bn, APSP, Warangal District, Government have decided to change the provisional decision, and finally decided to cut 5% (five percent) in pension for one year against Sri Syed Mustafa, HC 524(Retd.), 4<sup>th</sup> Bn, APSP, Warangal District, as per Rule-9 (2) (a) of A.P. Revision pension Rules, 1980, as the APPSC have agreed with the proposal of the Govt. in their letter 4<sup>th</sup> read above.

6. Government, therefore, hereby impose the penalty of withholding of 5% (five percent) pension for one year, on Sri Syed Mustafa, HC 524 (Retd.), 4<sup>th</sup> Bn, APSP, Warangal District . A copy of the reference 4<sup>th</sup> read above is communicated herewith to the individual concerned as per Rule 23 of APCS (CC&A) Rules, 1991.

7. The Director General of Police, A.P., Hyderabad, is requested to take necessary follow up action in the matter accordingly. The original O.E. records, received in the reference 1<sup>st</sup> read above, are herewith returned to the Director General of Police, A.P., Hyderabad, and he is requested to acknowledge the receipt of the same to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General of Police, A.P., Hyderabad (with records)  
The individuals concerned through D.G.P., Hyderabad(w.e.)  
Copy to:  
The Secretary, APPSC, Nampally, Hyderabad. for information and record.  
The Accountant General of Andhra Pradesh, Hyderabad.  
The Director of Treasuries & Accounts, A.P., Hyderabad.  
The Commandant, 4<sup>th</sup> Bn, APSP, Warangal.  
SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER